

97-84122-15

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Address by

Bernard L. Shientag

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Box 436      New York (State) Dept. of labor. Industrial  
                    council.  
                    ... Address by Bernard L. Shientag ... at the  
                    initial meeting of the Industrial council of  
                    the State department of labor, June twentieth,  
                    nineteen twenty-four. [1924]  
                    14 p.  
  
                    At head of title: State of New York. Depart-  
                    ment of labor.

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TECHNICAL MICROFORM DATA

FILM SIZE: 35 mm

REDUCTION RATIO: 10:1

IMAGE PLACEMENT: IA (IIA) IB IIB

DATE FILMED: 6/26

INITIALS: TM

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STATE OF NEW YORK  
DEPARTMENT OF LABOR



ADDRESS

BY

BERNARD L. SHIENTAG  
*State Industrial Commissioner*

AT THE

INITIAL MEETING

OF THE

INDUSTRIAL COUNCIL

OF THE

State Department of Labor



308

Z

Box 436

JUNE TWENTIETH

NINETEEN TWENTY-FOUR

INDUSTRIAL COUNCIL  
OF THE  
STATE DEPARTMENT OF LABOR

BERNARD L. SHIENTAG,  
Industrial Commissioner,  
*Chairman*

JOHN D. HIGGINS,  
Chairman Industrial Board,  
*Vice-Chairman*

J. A. FITZGERALD,  
*Secretary*

*Representing Employees*

JOHN M. O'HANLON,  
Secretary-Treasurer, New York  
State Federation of Labor.

JEREMIAH RYAN,  
Binghanton Central Labor Union.

JOHN J. HALKETT,  
President, Building Trades Coun-  
cil, New York City.

MRS. SARA CONBOY,  
Secretary-Treasurer, United Tex-  
tile Workers of America.

THOMAS J. CURTIS,  
Vice-President, New York State  
Federation of Labor.

*Representing Employers*

COLONEL MICHAEL FRIEDSAM,  
President, B. Altman & Co., New  
York City.

CHARLES M. WINCHESTER,  
President, J. B. Lyon Co., Albany.

FREDI H. SWAN,  
President, Robeson Rochester Co.,  
Rochester, and President, Asso-  
ciated Industries, Buffalo.

WILLIAM F. KENNY,  
Contractor, New York-City.

MAXWELL S. WHEELER,  
Larkin Company, Buffalo, N. Y.

Address of State Industrial Commissioner, Bernard L. Shientag, at the initial meeting of the Industrial Council of the State Department of Labor, on June 20th, 1924.

It is a great pleasure and a privilege for me to have the opportunity of welcoming the members of the Industrial Council of the Labor Department at their initial meeting. The State of New York is to be congratulated on securing your services, but I believe that you also are to be congratulated on the opportunity for useful public service of a very high order that you will be in a position to render in your capacity as members of this Council. There had been an Industrial Council in the Labor Department in 1915. It was, however, abolished in the reorganization of the department that took place in 1921. The old council, to put it plainly, had not been very successful. That was so largely because it soon became convinced that it had no real function to perform, and that in most instances it was simply being used as a rubber stamp.

*Powers and Duties of Present Council*

A good deal, of course, depends on the relationship between the council and the head of the Labor Department. It was for that reason, that under the present law, the Industrial Commissioner is named as chairman of the council, whereas under the old law, the council itself designated its chairman. There is, moreover, an important distinction between the duties of the old council and the powers entrusted to the present council under the law. The old council simply passed upon such matters as were submitted to it by the head of the Labor Department. If the head of the department submitted nothing, there was nothing for the council to consider or to pass upon. It had no power to act or to make recommendations on its own initiative. That has been entirely changed under the law by which the present council was created. You are not alone to advise the commissioner and to consider matters submitted by him, but to initiate any recommendations that you desire and to present directly to the Industrial Commissioner on your own volition your recommendations, your suggestions and your criticisms with reference to the administration of the Labor Department and the important statutes under its jurisdiction.

*Law Creating the Council*

The law creating the present Industrial Council, Chapter 464 of the Laws of 1924, reads as follows:

*Industrial Council.*—1. To advise the commissioner, there shall be an industrial council composed of ten members appointed by

the governor. Five members of the council shall be persons known to represent the interests of employees, and five shall be persons known to represent the interests of employers. The governor may remove any member of the council when such member ceases to represent the interests in whose behalf he was appointed.

2. The commissioner shall be an additional member of such council and act as chairman thereof. The chairman of the industrial board shall also be an additional member of such council and shall be vice-chairman thereof, to act in the absence of the commissioner. The commissioner shall designate an employee of the department to act as secretary to the council and shall detail from time to time to the assistance of the council such employees as may be necessary.

3. The members of the council shall be entitled to compensation at the rate of not exceeding ten dollars per day for each meeting attended by them, or each day actually spent in the work of the council. They shall also be paid their reasonable and necessary travelling and other expenses while engaged in the performance of their duties.

4. The council shall (a) consider all matters submitted to it by the industrial commissioner and advise him with respect thereto; (b) on its own initiative recommend to the commissioner such changes of administration as, after consideration, may be deemed important and necessary; (c) co-operate with the civil service commission in conducting examinations and in preparing lists of eligibles for positions, the duties of which require special knowledge or training, and advise the commissioner in the selection and appointment of employees to such positions.

5. The council shall adopt rules and regulations to govern its own proceedings. The secretary shall keep a complete record of all its proceedings which shall show the names of the members present at each meeting and every matter submitted to the council by the commissioner and the action of the council thereon. The record shall be filed in the office of the department. All records and other documents of the department shall be subject to inspection by the members of the council.

6. The duties and powers of the council shall not extend to any matters affecting the administration of the State Insurance Fund.

#### State Insurance Fund

The State Insurance Fund is the only branch of the Labor Department that does not come within the scope of the powers and duties of the council. The State Fund is administered by the Industrial Commissioner. It furnishes Workmen's Compensation insurance to employers at cost. It has an annual earned premium

income of about \$3,200,000 and is the second largest carrier of workmen's compensation insurance in the state. Its initial rates are 15% lower than those charged by other carriers, and in addition it pays dividends of 15% to its policyholders in the general groups.

The reason the council's jurisdiction was not extended to cover that important branch of our activities is that there is attached to the State Insurance Fund an Advisory Committee of Policyholders of the Fund appointed by the Governor who exercise with reference to the administration of that Fund, the same jurisdiction that you have under the law with reference to all the other activities of the Labor Department.

The Advisory Committee of Policyholders of the State Insurance Fund has functioned remarkably well since I have been in office. I have treated that committee as the Board of Directors of the Fund. It has been consulted on every important question of policy and in turn the members of that committee have given without stint of their assistance and advice to the end that the Fund might be administered with the utmost degree of efficiency and conducted as a business enterprise maintained by the State on a sound, enlightened business basis and without regard to any other consideration. It is my hope and expectation that the Industrial Council of the Labor Department will function with the same efficiency and will result in the same benefit to the department as a whole.

While you have been appointed to represent respectively the interests of employers and of employees, I am confident that, as time goes on, all of us will be actuated by only one purpose and that is to have maintained a Department of Labor that will be conducted on a sound and efficient basis and that will at all times be in a position to render that service which the public has the right to expect from us. There is not a department of the state government that is so close to the daily lives of the great mass of the people, that has so many difficult and complex problems to deal with as the Department of Labor. With your help and assistance, much good can be accomplished in maintaining the stability of the department, in keeping it out of the arena of partisan politics and in preventing those disruptions which from time to time, under the name of reorganizations, have crippled the activities of the department, have impaired its usefulness and have resulted in waste of effort and of money.

#### Scope of the Council's Activities

I shall state to you frankly what my policy will be with reference to the Industrial Council. I believe that you should have

the widest latitude in your work. Every activity of the department, every phase of our work, every record that we have, is subject to your scrutiny and to your investigation. I shall consult you on all important matters relating to the work of the department and the administration of the Labor and Workmen's Compensation Laws. I shall ask for your suggestions, for your criticisms and for your help to remedy conditions that require correction. Legislation affecting the work of the department will be submitted to the council for its consideration. I shall consult you on the preparation of the budget for the Labor Department and shall invite you to scrutinize every item in it. If there is any way by which real economy can be effected, and by that I mean the kind of economy that does not involve the sacrifice of the important functions of the department, any recommendation or suggestion that you can make along that line will receive the most careful consideration. On the other hand if we can demonstrate to you that it is in the interest of this department and of all those who are affected by its work, to strengthen and to extend our appropriations along certain lines, I shall expect you to adopt a helpful attitude on that subject and stand behind the head of the Labor Department and help him to secure the needed appropriations.

I shall not expect you, however, to limit your activities to a consideration of matters that I shall submit to you. I shall expect that you, on your own initiative, will make recommendations and submit constructive criticisms, either as the result of your own observation, or as the result of what is laid before you by others. I hope that so far as possible, you will make it your business to inquire about the work of the department, of all those who come into contact with it and obtain their views as to what should be done to make it more efficient and more helpful. You may bring to the meetings of the council, any experts and assistants that you desire, to present any facts that you believe should receive the consideration of the council.

#### The Work of the Labor Department

In size, in volume of work and in the importance and complexity of the problems that it has to deal with, the Department of Labor is one of the most important agencies of the state government. Apart from the State Insurance Fund which pays its own expenses out of its premium income, the Department of Labor has upwards of 900 employees and an annual budget of about \$2,050,000.00 for personal service and for maintenance and operation. The Industrial Commissioner is the sole administrative head of the department. He has charge of all matters of administration, of the enforcement of all of the laws coming under the jurisdiction

of the department, of all investigations made pursuant to law, of the preparation of the budget and of all appointments and removals. He has the power to hear and determine compensation cases.

The Industrial Board consisting of three members, has nothing to do with matters of administration but discharges the quasi-judicial and quasi-legislative functions of the department. It reviews decisions in compensation cases made by the referees appointed by the Industrial Commissioner; it passes on appeals from orders issued by the Industrial Commissioner under the provisions of the Labor Law; it grants, under the conditions imposed by law, variations from the specific requirements of the Labor Law relating to safety, sanitation and accident prevention, and it adopts the Industrial Codes submitted to it by the Industrial Commissioner. These codes provide detailed rules and regulations for specific industries and processes to supplement the broad and general requirements of the Labor Law as to safety and sanitation.

#### Offices of Department

The main office of the department under the law is in the Capitol at Albany, although the bulk of our work is done in our New York office at 124 East 28th St., New York City, in buildings owned by the State. We maintain branch offices in the cities of Syracuse, Rochester and Buffalo, each of which is in charge of an assistant to the commissioner. We also maintain free public employment offices conducted by the State, several of them, including the colored employment branch, in the city of New York, and others in the cities of Albany, Rochester, Syracuse, Buffalo, Binghamton, Dunkirk and Elmira. In Utica is located a branch office of the Bureau of Inspection.

#### Inspection

One of the most important bureaus of the department is the Bureau of Inspection which has charge of the inspection of factories, mercantile establishments, mines, tunnels and quarries, manufacturing in tenements, building construction and other places coming under the jurisdiction of the Labor Department in order to determine whether the provisions of the Labor Law and of the Industrial Code are being complied with. The department also enforces the law dealing with requirements for the sanitary manufacture and repair of mattresses. Among the important provisions of law enforced by this bureau, are those relating to the fire hazard, to safety, sanitation, accident prevention, illegal employment of women and children and one day of rest in seven. It has charge of the inspection of places of public assembly, outside of cities having building codes. We have no jurisdiction in New York

City with reference to matters involving construction, but we do have such jurisdiction in the rest of the state. The volume of work done by this bureau is shown by the following figures:

For ten months ending April 30th, 1924, there were 161,722 factory orders issued and 150,497 compliances obtained; there were 117,126 mercantile orders issued and 113,708 compliances obtained; there were 6,123 accident prevention orders issued on building construction work and 5,591 such compliances obtained. There are many other important activities of this bureau, which time will not permit me to go into now. We have a staff of about 195 inspectors to do this work all over the state.

For inspection purposes the state is divided into nine districts each in charge of a Supervising Inspector. We have four classes of inspectors: factory inspectors, mercantile inspectors, mine and tunnel inspectors and boiler inspectors, most of our inspectors falling in the first two classes mentioned. Factory and mercantile inspectors start with a salary of \$1680 a year and receive automatic increases every year till they reach the sum of \$2400 a year after 5 years of satisfactory service. We have 3 mine inspectors who receive \$2200 a year, but who are not automatically increased based upon their length of service. The boiler inspectors receive from \$1740 to \$1980 a year and there is no provision made for increasing them annually. One of the important problems in connection with the Bureau of Inspection is that of adequate salaries in order to secure the right type of inspectors who are qualified to deal with the technical problems of safety and sanitation. It means a good deal to the employing interests of the state, as well as to the wage earners to have well qualified inspectors and to give them salaries that would tend to keep them in the state service after they have become trained and experienced.

#### Workmen's Compensation

Perhaps the most important and the most difficult bureau to administer in the department is the Bureau of Workmen's Compensation which administers the Workmen's Compensation Law of the state. About one-third of the entire appropriation for the department, that is almost \$700,000 a year, is devoted to the work of this bureau. All of this money is charged against insurance carriers as part of the expense of administering the Workmen's Compensation Law and repaid by them to the state. Under the law an employer may carry his workmen's compensation insurance in one of four different ways—with a stock company, with a mutual insurance company, with the State Insurance Fund or, under certain conditions, he may become a self-insurer. We have about fifty-two different insurance carriers doing a workmen's

compensation insurance business in this state and over four hundred individual self-insurers, a circumstance which indicates the difficulty of the problems that we have to contend with. An employer who fails to carry compensation insurance in violation of law is guilty of a misdemeanor, punishable by fine or imprisonment, or both, and is subject to suit at law with most of the common law defenses removed. The department makes a constant drive through its investigators to compel all employers coming under the law to carry compensation insurance. The courts have co-operated by imposing jail sentences on certain delinquent employers. Despite our efforts, there are still thousands of employers who, through ignorance or wilfully, violate the law in this regard, and many are found to be financially unable to pay awards to disabled workmen or to the dependents of those killed in industrial accidents.

Compensation cases are decided in the first instance by Referees. Two Referees hear death cases, one in New York City (part time) and one for the rest of the state. There are eighteen Referees who hear disability cases throughout the state. There are twenty hearings in compensation cases going on every day all over the state, from ten to eleven of them in New York City alone. In New York City there is a separate part for women's cases and for permanent disability cases. Applications for review or re-hearing of decisions of Referees may be made to the Industrial Board. An appeal may be taken to the courts (Appellate Division, Third Department, Albany, and Court of Appeals) within thirty days of the decision of the Industrial Board. The decision of the Industrial Board on questions of fact is final.

#### Compensation Payments

The Workmen's Compensation Law, as you know, provides for a limited but absolute liability of the employer, regardless of negligence, for injuries sustained by his employees arising out of or in the course of employment. Most occupations are now covered by the law. Compensation for disability is two-thirds of the average weekly wage of the employee. The maximum is \$20.00 a week, the minimum \$8.00 a week. No compensation is now paid for the first two weeks' disability, but, by an amendment to the law which becomes effective January 1st, 1925, compensation will become payable after the seventh day of disability.

The employer is required to furnish necessary medical attention from the date of the accident and for so long a period as may be necessary. The doctor is selected by the employer or insurance carrier, who are not liable for services rendered by a doctor selected by the claimant, unless they themselves have refused or neglected to furnish the necessary medical treatment.

There is a definite schedule of compensation for the loss of specific members of the body ranging from 15 weeks' compensation for the loss of the small finger to 312 weeks for the loss of an arm. Provision is made for death benefits to widows and dependents of those killed in industrial accidents. Under an amendment becoming effective on July 1st, 1924, the maximum compensation to a widow is \$10.386 and to a dependent father or mother \$8.655 a week. Compensation to non-resident aliens is commuted to 50% of that provided for residents of this country. Provision is also made for compensation under certain conditions for enumerated occupational diseases.

The failure of an employee to notify his employer within thirty days after an accident bars his claim, unless the department finds that the employer was not prejudiced by such failure. A claim for compensation must be filed with the department within a year after the accident or death resulting therefrom, otherwise it will be barred on objection of the insurance carrier unless the employer has made advance payments of compensation. Compensation is payable bi-weekly but the department may commute all payments into one lump sum when it finds it in the interests of justice to do so. Lump sums are granted only after careful investigation.

Time will not permit me to go into details as to the requirements of the Workmen's Compensation Law which are fully set forth in the annotated copy of the law itself, with which you will be furnished. An idea of the volume of business done by this bureau may be derived from the total compensation payments which for the calendar year 1923 amounted to \$19,676,944.93.

#### Medical Division

Medical treatment in compensation cases is furnished as before mentioned by doctors selected by the employer or insurance carrier. In New York City we have a staff of eight medical examiners attached to the Bureau of Workmen's Compensation. It should be borne in mind that these doctors do not treat compensation cases; their sole duty is to examine claimants when their cases are heard, in order to report to the department the character and extent of their disability. These medical examiners are in the service of the state; they give all their time to the work; are not allowed to do any compensation work on the outside and are in a position to make an impartial and unbiased examination of claimants.

Upstate the system of medical examinations was different. Instead of having claimants examined by physicians in the service of the state and paid by the state, the practice was to have them examined by physicians designated by this department, but paid

for by insurance carriers and doing work for insurance carriers. Without intending any reflection on these physicians, who were men of ability and of high character, the system itself, it can readily be seen, is fundamentally unsound and in practice has resulted in many complaints. I corrected this to the extent of fifty per cent, by securing an appropriation from the Legislature for one physician employed by the state in each upstate compensation district to examine claimants in accordance with the methods that prevailed in New York City since the Workmen's Compensation Law was enacted. I was unable to secure the additional appropriation that would have enabled us to have all of the examinations conducted in that manner. The result is that upstate today when compensation cases come on for hearing, half the examinations are made by our own doctors and half of them by doctors paid by the insurance carriers. This is a condition which should be remedied as speedily as possible.

Some idea of the work of the Medical Division may be gathered from the fact that the total number of examinations in the New York City Compensation District run to in the neighborhood of 3,500 a month.

#### Division of After Care Service

This division in the Bureau of Workmen's Compensation renders a very important service in maintaining a contact with the families of injured claimants. It assists in securing suitable employment for disabled claimants; it deals with cases of improper guardianship or cases of orphans to be placed in institutions. It investigates neurotic and mental cases following accidents, in an endeavor to have such claimants secure the necessary treatment and be placed in surroundings that would tend to bring about their speedy recovery. There are many cases where compensation is disallowed under the law, where there are appeals to the courts from our decisions awarding compensation or where the employer has violated the law, failed to carry compensation insurance and is financially irresponsible. The After Care Division investigates all such cases and, if the claimant or his family are found to be in need, cases are referred to the appropriate agencies for relief. This division is in effect the social welfare agency of the Bureau of Workmen's Compensation and, as such, renders extremely useful service.

#### Division of Self-Insurance

This division passes on applications of employers to be self-insurers under the Workmen's Compensation Law. It determines the financial responsibility of the applicants, the initial deposit of securities required to guarantee the payment of any compensation



awards that may be made, and all further deposits of securities to meet outstanding claims. It has charge of the enforcement of the rules regulating self-insurance and of the examination of the periodical reports obtained from the self-insurers concerning their compensation losses, payroll changes and their financial condition. The importance and magnitude of this work is indicated by the fact that today there are upwards of 100 self-insurers in this state and we have on deposit upwards of \$11,000,000 of their securities.

#### BUREAU OF RESEARCH AND CODES Division of Industrial Hygiene

In this division are centered the educational and research activities of the department. The division has just been completely reorganized. A chemical engineer and a mechanical engineer have been appointed, additional medical inspectors have been put on the staff and generally, the facilities of the division have been expanded. The division is engaged in a continuous study of the health and accident hazards of industry, of the causes of industrial accidents and diseases and of the measures to be taken by employers and employees to reduce their number. This is not alone a great humanitarian task but is one which means the saving of large sums of money to employers, employees and the community at large. The modern conception of a Department of Labor is that its functions are educational rather than police in character and are designed to bring about the voluntary co-operation of employers and employees in an effort to better working conditions and to eliminate so far as is possible, the human misery and economic loss occasioned by preventable accidents and disease. The Division of Industrial Hygiene has sections of expert inspection, special research, accident prevention and education. It has lecturers who tour the state with travelling safety exhibits and give talks on the hygiene of industry and the prevention of accidents in schools, town halls and industrial plants.

In co-operation with the Reconstruction Hospital of New York City and the College of Physicians and Surgeons of Columbia University, the division has arranged for an Industrial Disease Clinic at the Reconstruction Hospital. It publishes a monthly bulletin dealing with matters of safety and industrial hygiene.

With the co-operation of the Labor Department, the American Museum of Safety has established a safety exhibit on the main floor of the Labor Department building at 120 East 28th Street, New York City, which is available to all those desiring to familiarize themselves with the most modern and up-to-date methods and appliances for accident prevention.

#### Division of Codes

This division prepares in the first instance the codes containing detailed rules and regulations for specific industries or industrial processes. The rules are prepared by the division in co-operation with advisory committees of employers, employees and of the public appointed by the commissioner. The proposed rules are submitted to the commissioner and by him transmitted to the Industrial Board for adoption after the necessary public hearings. At the present time the industrial code comprises twenty-six sets of rules, copies of which will be sent to each member of the council. There are now pending for consideration by the Industrial Board rules relating to the following subjects:

- Places of Public Assembly
- Laundries
- Needle Trades.

The division is now engaged in the preparation of rules relating to the following subjects:

- State Standard Building Code (continuation)
- Locomotive Boilers
- Miniature Boilers
- Mercantile Establishments (in buildings heretofore erected)
- Explosives
- Chemical Trades
- Dyeing & Dry Cleaning Establishments
- Allied Printing Trades
- Boilers (Revision)
- Window Cleaning (Revision)
- Dangerous Machinery (Revision)
- Dust, Gases and Fumes (Revision) to include excessive heat and humidity.

#### Division of Engineering

This division passes on plans for the construction and alteration of industrial buildings and mercantile establishments all over the state, except in New York City; also Places of Public Assembly except in cities having Building Codes.

#### Bureau of Statistics

The Bureau of Statistics does all of the statistical work of the department. It prepares monthly statements of employment, wages and conditions of labor. It analyzes industrial fatalities and is now about to issue an annual analysis of accident and compensation statistics. This is one of the most important activities of the department but one which has been rather neglected in the past. There is a great demand today for the actual facts concerning industrial conditions and the Department of Labor should be

in a position to furnish this information to the public in an impartial and comprehensive manner. Many mistakes could be avoided, unwise legislation prevented and needed laws passed if the facts and figures were available, instead of our being obliged to grope around in the dark and to act on conjecture and surmise.

#### **Bureau of Women in Industry**

The Bureau of Women in Industry, which I restored when I took office, pursuant to the direction of Governor Smith has a very important function to perform. It deals with the problems presented by the employment of women and children in industry. It does a good deal of research work and conducts many valuable investigations. To a very large extent, it receives the helpful co-operation of employers of the state, many of whom are anxious and willing to remedy improper conditions as soon as their attention has been called to them. At the present time, the Bureau is making the following investigations: the effect of employment in industry on children 14 and 15 years of age; an analysis of permanent injuries sustained by women employees and their consequences; the trend of child labor in New York State; the health hazards of the rubber industry. The Bureau is also making a study of the social and economic problems in connection with manufacturing in tenements.

#### **Bureau of Industrial Relations**

This bureau is made up of three divisions: mediation, public employment offices and aliens. Under the law the commissioner is charged with the duty of inquiring into the causes of all strikes, lockouts and other industrial controversies and to endeavor to effect an amicable settlement thereof. For this purpose we have a staff of five mediators in the state, whose business it is to keep in close touch with all industrial disputes, to endeavor to prevent strikes and to do everything possible to settle strikes after they occur. This is a very important work and one which results in great benefit, not alone to the employers and employees directly involved, but to the consuming public as well.

The Division of Public Employment Offices maintains free state employment offices in various cities of the state to which reference has already been made. One of the important activities of this division is that of juvenile placement, that is a comprehensive effort to place young people in jobs suitable to them where they will have an opportunity for progress and advancement.

The Division of Aliens, the activities of which were largely curtailed by a reduction in appropriation and the reorganization of the bureau during the preceding administration, deals with the

licensing and inspection of immigrant lodging houses and with all matters involving the exploitation of aliens such as stock frauds, and withholding of wages. We are waiting for action by the Legislature, restoring the power and facilities of this division, along the lines recommended by the Legislative Committee to investigate the Exploitation of Aliens.

#### **Publications of the Department**

The department publishes a monthly Industrial Bulletin containing articles and information concerning industrial conditions in the state. There are also published special bulletins setting forth results of investigations made by different bureaus of the department. Educational pamphlets and leaflets on accident prevention and industrial hygiene are issued from time to time. Court decisions in workmen's compensation cases are analyzed and issued in pamphlets at regular intervals. Reference has already been made to the monthly publication of the Division of Industrial Hygiene — "The Industrial Hygiene Bulletin."

#### **Legal Work of the Department**

Up to three years ago the department had a counsel of its own to look after its legal work. Now all of the legal work of the department is attended to by the Attorney General who maintains a labor bureau of his office in our main building. In cases involving violations of the Labor Law, we have what is known as the departmental calendar, where, instead of prosecuting an employer in the courts, he receives a summons to appear before the department and show cause why he should not be prosecuted. This results in voluntary compliance by employers in most cases. It saves the time of inspectors, it secures a more speedy compliance with our orders and it does not subject employers to the criminal processes of the law. Where, however, the employer continues to disregard our orders, the case is referred to the Attorney General's office for prosecution.

The Attorney General renders opinions in labor and compensation cases, prepares the findings of the Industrial Board in compensation cases where appeals are taken to the courts and argues the appeals in the courts in support of the Industrial Board's decisions. He prosecutes employers who fail to carry compensation insurance as required by law and he takes the necessary steps to collect unpaid compensation awards.

#### **Other Activities of the Department**

Early in my administration, I made plans for an Industrial Safety Campaign and on my recommendation, the Governor set

aside Wednesday, January 16th, 1924, as Industrial Safety Day. The department received the helpful cooperation of employers, labor organizations, social, civic and trade organizations and of the insurance carriers in the state. The Chairman of the Safety Campaign was Mr. Arthur Williams of New York City, President of the American Museum of Safety.

The Industrial Commissioner is a member of the Advisory Committee on the Rehabilitation of Handicapped Persons, which looks after the rehabilitation of persons suffering from industrial accidents with a view to restoring them to useful occupations and to minimizing the consequences of permanent disabilities. This work is carried on by a bureau in the State Department of Education.

The Commissioner is also a member of the Legislative Commission appointed to investigate the laws relating to Child Welfare and a trustee of the American Museum of Safety. He holds special hearings to determine the causes of industrial disputes and to endeavor to settle threatened or pending strikes. He is a member, for example, of the Commission appointed by Governor Smith to adjust the controversy in the Cloak and Suit Industry in New York City. The Department of Labor was instrumental in having this Commission created. It has succeeded in averting a serious strike in this important industry and is now engaged in working out a basis for permanent peace and stability in the industry.

#### Conclusion

I have indicated to you in a general way the scope of the work of the Labor Department and the duties that it has to perform. From time to time I shall discuss with you some of the details of these various activities. I have said enough, however, to indicate to you how helpful you can be in promoting the efficiency of the department and the welfare of the great mass of people who come into contact with its work.

I pledge you my earnest support and cooperation in the discharge of the important duties which have been imposed upon you by law. I know that you will meet the head of the department in the same spirit and that working together we can accomplish something that will be of real benefit to the people of the state.

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